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OFFICE OF THE DIRECTOR
TC 3600

In re Application of
Takeshi Kai et al.
Application No. 10/055,844
Filed: January 23, 2002
For: AIR BAG APPARATUS FOR SIDE CRASH

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:
: DECISION ON PETITION
: TO WITHDRAW THE
: HOLDING OF ABANDONMENT

This is in reply to applicants' petition to withdraw the holding of abandonment under 37 CFR 1.181, filed in the United States Patent and Trademark Office, on February 17, 2004.

The petition is **DISMISSED**.

A review of the file record reveals that a Notice of Abandonment was mailed February 6, 2004 because of applicants' failure to reply to the non-final Office action of July 8, 2003.

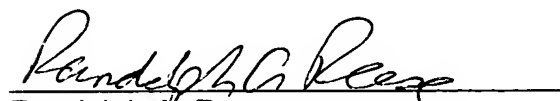
Petitioner states that a response to the non-final Office action was filed on October 8, 2003 by facsimile transmission. The copy of the response submitted with the petition includes a Certificate of Transmission dated October 8, 2003.

Any petition to withdraw the holding of abandonment based upon a Certificate of Transmission by facsimile must provide the following:

- (1) A copy of the original response bearing a signed Certificate of Transmission which includes the date of signing; and
- (2) A statement under 37 CFR 1.8(b)(3) attesting to the personal knowledge of transmitting the original response on the date indicated on the Certificate of Transmission (see 37 CFR 1.8 and MPEP 512).

While meeting requirement (1) above, the petition fails under requirement (2) to provide a proper statement under 37 CFR 1.8(b)(3) attesting to personal knowledge of sending the original response by facsimile transmission on the date indicated on the certificate, by the person who signed the certificate.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(b) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition to Withdraw the Holding of Abandonment Under 37 CFR 1.181."

A handwritten signature in cursive script, reading "Randolph A. Reese", is written over a horizontal line.

Randolph A. Reese
Special Programs Examiner
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RAR/mjz: 5/27/04